

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ONATE, *et al.*,

Plaintiffs,

**ORDER**

**20-cv-8292 (LGS) (JW)**

-against-

AHRC HEALTH CARE, INC.,

Defendant.

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**JENNIFER E. WILLIS, United States Magistrate Judge:**

On April 16<sup>th</sup>, Plaintiffs submitted a letter requesting a conference to set new deadlines and seeking costs for the Defendant's cancellation of a mediation scheduled for June 6<sup>th</sup>. Dkt. No. 227. Defendant did not respond to the letter. Therefore, any objections were waived. See Individual Practice Rules, Sec. II.A. The Court permitted Plaintiff to submit a request for its non-refundable fees and the Defendant was granted leave to oppose. Dkt. No. 228. Plaintiff filed a letter seeking \$375, and Defendant, once again, did not oppose. Dkt. No. 229. **Defendant is therefore ordered to pay Plaintiff \$375 by July 23<sup>rd</sup>.**

The Court's previous order directed the Parties to “confer and propose new deadlines to complete discovery and submit dispositive motions.” Dkt. No. 228. The Parties jointly requested additional time to propose new deadlines. Dkt. No. 230.

On opt-in discovery, at the end of May, the Parties proposed a method for completing opt-in discovery. **By July 23<sup>rd</sup>, the Parties shall jointly submit a letter updating the Court on the status of opt-in discovery.**

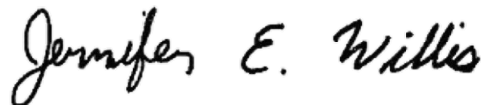
With respect to other proposed deadlines, the Parties could not reach an agreement. Dkt. No. 231. The Plaintiffs argue that “after the completion by Defendant of the opt-in plaintiffs’ depositions, no further fact discovery is necessary or appropriate.” Dkt. No. 231 at 2. On the other hand, Defendant argues that “Defendant proposes that it be permitted to conduct opt-in discovery and then determine whether class discovery is necessary once opt-in discovery has closed. To the extent that the Defendant believes that class discovery will be necessary, the Defendant respectfully requests permission to propose a mechanism to efficiently sample class discovery.” Dkt. No. 231 at 3.

The Court will hold a discovery conference to set the remaining discovery deadlines on **July 30<sup>th</sup> at 3 pm** in Courtroom 228, 40 Foley Square. **If the Parties are able to agree and jointly propose deadlines to complete discovery, the July 30<sup>th</sup> conference will be canceled.**

**The Clerk of the Court is respectfully requested to close Dkt. Nos. 226, 229, and 230.**

SO ORDERED.

DATED: New York, New York  
July 10, 2024

A handwritten signature in black ink that reads "Jennifer E. Willis". The signature is written in a cursive, flowing style.

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JENNIFER E. WILLIS  
United States Magistrate Judge